

CIDA
Child Rights- based Approach
Position Paper

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GLOSSARY OF TERMS

AEA	Adult Education Agency
EIHS	Egyptian Integrated Household Survey
BDSSP	Business Development Services Support Project
BOT	Board of Trustees
CBE	Community Based Education
CDPF	Country Development Program Framework
CIDA	Canadian International Development Agency
CRC	Conventions on the Rights of the Child
EHDR	Egypt Human Development Report
FGM	Female Genital Mutilation
GDP	Gross Domestic Product
GEI	Girls Education Initiative
GOE	Government of Egypt
HRA	Human Rights Approach
ICS	Institutional Capacity Strengthening
ILO	International Labor Organization
MEDA	Mennonite Economic Development Associates
MOE	Ministry of Education
MOMM	Ministry of Manpower & Migration
MOSS	Ministry of Social Solidarity
NCCM	National Council for Childhood & Motherhood
NGO	Non Governmental Organization
NSP	New School Program
PPIC- Work	Promoting and Protecting the Interests of Children Who Work in Egypt
PTE	Partners for Technology Exchange
RBA	Rights Based Approach
SCF	Save the Children Fund

SFD	Social Fund for Development
SME	Small & Medium Enterprises
SMEDUP	Small Enterprise Development in Upper Egypt
SRC	Social Research Center
STEPS I	Support to Egyptian Primary Schooling Project I
STEPS II	Support to Egyptian Primary Schooling Project II
TVET	Technical & Vocational Education & Training
UDHR	The Universal Declaration of Human Rights
UN	United Nations
UNDP	United Nations Development Program
UNESCO	United Nations Educational, Scientific and Cultural Organization
UNICEF	United Nations Children Fund
UNLD	United Nations Literacy Decade
USAID	United States Agency for International Development
WDR	World Development Report
WHO	World Health Organization
WIF	Women's Initiatives Fund

INTRODUCTION

CIDA's mandate is to support sustainable development and to reduce poverty. As part of its commitment to fulfilling this mandate CIDA has supported international development assistance for children. Accordingly, CIDA's Development Programme Framework in Egypt (2001 – 2011) focuses on supporting Egypt's efforts to reduce poverty of the country's marginalized groups, particularly women and children.

Children worldwide represent a disproportionate larger number of the poor who are adversely affected by poverty. Poor children are often denied their fundamental human rights. Statistics indicate:

- About 130 million children worldwide do not go to school
- Thousands of children die daily from preventable diseases and poor nutrition
- Boys and girls are denied their rights to clean water, sanitation and health care.

UNICEF aptly concludes: "Poverty reduction must begin with the protection and realization of the human rights of children"

These realities and CIDA's experience led CIDA to adopt the rights-based approach for the promotion and realization of children's rights, in accordance with international standards.

In Egypt, CIDA has been promoting child rights in both its basic education and small and medium enterprise (SME) projects. These efforts can contribute to the development of a comprehensive child rights strategy, intended as a guide to CIDA's projects and stakeholders on the design, implementation and monitoring of initiatives. The main objective of the strategy would be to mainstream child rights into all CIDA projects as an integral crosscutting element, alongside gender equality, environmental sustainability and institutional capacity strengthening. The implementation of the strategy would require building the capacity and expertise of CIDA's program staff and stakeholders in child rights planning, programming, implementation and monitoring. The strategy would contribute to the promotion of results and accountability, through:

- Having a clear mandate and tools to systematically and explicitly examine child rights across the sectors of CIDA's focus;
- Incorporating child rights in policy formulation and dialogue, program design, project planning and implementation and assessment;
- Creating organizational structures, procedures and norms that promote child rights;
- Mandating that child rights results and indicators be explicit;
- Assigning adequate resources, both financial and human, and strategies to support the attainment of child rights;
- Setting accountability measures for delivering on child rights results; and
- Building strategic alliances with multilateral institutions, government, the private sector and civil society partners, as champions for child rights attainment.

SECTION I

SIGNIFICANCE OF THE CHILD RIGHTS APPROACH

1. Conceptual Considerations

The rights-based approach to development is founded on a particular conceptual framework that should be distinguished from other development approaches.

1.1 Distinction between Development Concepts and Approaches:

The concepts and objectives of development evolved over the years.

- **The Economic Development approach**

During the early years of industrial progress, the focus was on the accumulation of capital to achieve economic growth. After the Second World War, it became apparent that economic growth alone would not necessarily contribute to human wellbeing and would not, in particular, benefit the poorest.

Moreover, experience indicated that countries which achieved economic growth, but limited achievements in human development, did not manage to sustain economic growth (UNDP, Human Development Report, 1990).

- **The Economic and Social development approach**

Strategies of economic growth were replaced in the 1970s by strategies that advocated giving equal consideration to economic and social development.

Social development was viewed in terms of three objectives:

- i) increasing the income of the poorest through labour intensive production; ii) promoting public services; and, iii) encouraging popular participation. However, most countries concentrated on the provision of basic services (Jonson, 2003)

During the 1990s, it became clear and generally conceded that the services provided had not had apparent impact on alleviating poverty and that "...children's predicaments often denoted generic and structural problems within society.". (UNICEF protection Strategy, 1996)

- **The Human Development approach**

In 1996 UNDP proposed a Human Development approach comprising three components: i) capacity to be well-nourished and healthy; ii) capacity of healthy reproduction; and, iii) capacity to be educated and knowledgeable (Jonsson, 2003).

This new variant was found wanting on various grounds.

- The human development conceptualization does not entail state obligations and does not assert entitlements to individual rights.
- The approach focuses on achieving outcomes usually determined by governmental or non-governmental agencies and are often determined by needs-based and service delivery approaches.

- Needs-based appraisals are often driven by low cost or cost-benefit considerations which might not take account of international standards. (Nyamu-Musembi et.al. 2004)

- **The Human Rights-based Approach**

In recognition of the growing dissatisfaction with the needs-based and service delivery approaches, the human rights-based approach was introduced in 1997 as an essential and integral component of the UN programme for reform. The UN Secretary General called on UN agencies to mainstream human rights into all their programmes and activities.(UNESCO-UNICEF 2007)

Due to discrepancies in interpretation (see Annex No. I) a UN inter-agency meeting was held in 2003 to develop a common understanding. The UN Development Group's Statement agreed on the following principles. (UNESCO-UNICEF, appendix 1, 2007):

- All programmes of development should further the realisation of human rights;
- Human rights standards guide all development programming in all sectors;
- The following human rights principles are to be observed in all phases of programming:
 - ⇒ Universality and inalienability
 - ⇒ Indivisibility
 - ⇒ Interdependence and inter-relatedness
 - ⇒ Non-discrimination and equality
 - ⇒ Participation and inclusion
 - ⇒ Empowerment
 - ⇒ Accountability
 - ⇒ The rule of law
(See definitions in Annex No. II)
- Development cooperation contributes to the enhancement of:
 - ⇒ Capacity of duty-bearers to meet their obligations
 - ⇒ Capacity of rights-holders to claim their rights.

1.2 Distinction between HRA and RBA

The terms "human rights approach" and "rights based approach" have been used in the literature alternatively. However, the distinction has both conceptual and practical implications. Clarification is deemed necessary:

- Rights are normative entitlements conferred to individuals by a competent authority or by legitimate sources recognised by a competent authority.
- Rights are determined and conferred through several sources: human rights are stipulated in international instruments; legal rights are decreed by national statutes;

contractual rights are created by contracts; and customary rights are derived from prevailing recognised customs.

- Whereas the concept of the human rights approach is specific and restricted to rights conferred by international instruments; the concept of the rights-based approach is broader and more inclusive; thus permitting recourse to customary and contractual rights that do not conflict with international standards – and may even facilitate the implementation of human rights standards.
- In drafting a Human Rights strategy, one should be aware that the observance of international standards does not preclude variations in implementation as long as the variations do not conflict with international standards. This principle has been confirmed by article 5 of the Vienna Declaration on Human Rights (1993): “While the significance of national and regional particularities and various historical, cultural and religious backgrounds must be borne in mind, it is the duty of States - regardless of their political, economic and cultural systems – to promote and protect all human rights and fundamental freedoms”.
 - ⇒ Thus it is conceivable and legitimate to stipulate in national legislation concepts or procedures that facilitate or complement the implementation of human rights standards as long as these national variations do not conflict with international human rights standards.
 - ⇒ The CRC has in fact adopted explicitly this view in providing care for children deprived of adequate family care: “State Parties shall in accordance with their national laws ensure alternative care for such a child. Such care includes, inter alia, foster placement, Kafala of Islamic law, adoption...” (article 20 CRC).
 - ⇒ Donnelly (2003) raises the case of competing institutions, particularly in developing countries: “We want to recognise the importance of traditional values and institutions ... At the same time though, we feel a need to reject an ‘anything goes’ attitude”.

Conclusion:

- CIDA’s strategy shall adopt a rights-based approach pertinent and conducive to promoting human rights in all development programmes and to responding to the national particularities that do not conflict with international human rights standards.
- Human rights set “normative minimum standards” to be observed by duty-bearers in all fields of social and economic development.
- Human rights provide strong normative bases for citizens (rights-holders) to make claims and to hold the duty-bearers accountable for achieving them.

2. Implications of a Child Rights-based Approach

The adoption of a rights-based approach (RBA) to children's concerns represents a qualitative shift from the provision of children's basic needs to the adoption of internationally recognised child rights standards that States pledge to respect and fulfil. The shift, however, is not limited to mere State obligations to respect and guarantee a list of children's rights. It is vital to realize that the CRC represents a particular vision of comprehensive child rights. Accordingly, the formulation of a child rights strategy would entail a prior understanding and analysis of the origins, nature and vision of the CRC.

2.1 Origins of the CRC

The Convention on the Rights of the Child (CRC 1989) derives its roots from a long tradition of Human Rights declarations and conventions. A UN General Assembly Declaration of the Rights of the Child was approved in 1959 (Resolution No.1386, XIV), reflecting the principles of the Universal Declaration of Human Rights (1948).

On the occasion of the twentieth anniversary of the Declaration of the Rights of the Child (1979), Poland submitted to the UN Commission on Human Rights a draft convention on the Rights of the Child. Initially, the West downplayed the initiative on the assumption that the draft concentrated on economic, social and cultural rights. By the mid 1980s, it became clear that the initiative had sufficient endorsement from developing countries. In response, the Reagan administration proposed the insertion of provisions reflecting civil and political rights, including freedom of speech, opinion, religion and association (Alston 1994). Thus a balance was ensured between social, economic and cultural rights on the one hand and civil and political rights and freedoms on the other. The CRC was finally adopted by the UN General Assembly resolution 44/25 on 20 November 1989. It entered into force on 2 September 1990.

2.2 The Nature of the CRC

The Convention on the Rights of the Child is an international instrument which recognizes children's inherent status as human rights holders entitled to the enjoyment of basic human rights as enshrined in the Convention.

In implementing the CRC, the following considerations should be observed:

- The CRC is a legally-binding instrument to State Parties that ratified the Convention.
- The CRC adopts a particular normative vision and approach to addressing all children's concerns.
- The CRC prescribes particular qualifications, standards and goals for the provision and implementation of child rights.

- The qualifications and standards prescribed for each right represent a ‘yardstick’ that should be observed in monitoring the implementation of child rights.

2.3 CRC Vision of Child Rights

The CRC introduced a new vision and approach to addressing child concerns. The stipulations embodied in the Convention include:

- 2.3.1 General overarching principles to be observed in formulating and implementing policies and programmes concerned with child rights.
- 2.3.2 Norms asserting and regulating comprehensive child rights, qualified by particular minimum conditions and standards, to be guaranteed to every child.

2.3.1 General Overarching Principles

The following principles should be observed throughout the phases and processes of CRC implementation:

- 1) State Parties shall respect and ensure the rights set out in the Convention to every child without discrimination of any kind (article 2 CRC);
- 2) In all actions concerning children, the best interests of the child shall be of primary consideration (article 3);
- 3) State Parties shall ensure to the maximum extend possible the survival and development of the child (article 6);
- 4) State Parties shall ensure to the child who is capable of forming his/her own views the right to express those views freely in matters affecting the child. The views should be given due weight in accordance with the age and maturity of the child (article 12). Articles 13 – 15 of the Convention extend and affirm the child’s right to participation to include rights to freedom of expression, thought and association.

2.3.2 Norms Asserting Comprehensive Child Rights

A particular comprehensive vision addressing all child concerns permeates throughout CRC stipulations. Three basic precepts underpin the design of the CRC:

- 2.3.2.1 The CRC has struck a balance between the following considerations:
 - On the one hand, the CRC guaranteed social, economic and cultural rights; and on the other it supports the child’s civil and political rights and freedoms, thus preparing him/her for life in a democratic free society (Alston 1994). However, giving equal recognition and consideration to both categories of rights.

- The CRC also established a balance between parents' responsibility for the child's upbringing and the State's responsibility to render appropriate support and assistance to parents in the performance of their responsibilities (article 18). Various articles reiterate this principle, particularly for parents in need (eg. Article 27), (Azer 1999).
- In addressing children's rights, the CRC embraces a holistic and comprehensive approach: thus all child rights contribute to the achievement of an ultimate goal: the realization of the "full and harmonious development of every child" (preamble of the CRC). Accordingly, all child rights including those concerned with child protection are concerned with, and contribute to child development.

2.3.2.2 The implementation of child rights entails the observance of the CRC's vision and intent:

- Child rights are defined and qualified by particular international standards and qualifications that must be observed. Non-observance would constitute a violation of child rights.
- International standards may be stipulated in the CRC and/or in other related binding international instruments, such as UNESCO or ILO conventions. In principle, human rights are inter-related and mutually reinforcing and should be observed.
- Child rights are not separate, independent entities. Latin American writers pointed out that "human rights lose their significance and strength if they are considered separate rights" (Van Genguten and Perez-Bustillo 2001). By their nature, child rights are inter-related, interdependent and mutually supportive and reinforcing.
- The understanding and implementation of child rights entails undertaking a process of programming 'clusters' of inter-related rights.

2.4 Clustering Child Rights

The classification and clustering of child rights may vary; a cluster of rights would share a common perspective or shared objectives. The following proposed clusters are derived from a widely accepted classification of child rights:

- Civil rights, which include rights to a name, nationality and individual rights and freedoms;
- Rights to survival and health, which include rights to health, well-being, hygiene, safe drinking water, safe environment, sanitation, nutrition, etc.;

- Rights to development of children’s capabilities, which include socialization, education, cultural activities, leisure, media, etc.;
- Rights to participation, which include the rights to be heard, to acquire information, self-expression, etc.; and,
- Rights to protection against all forms of harm, abuse, neglect, exploitation, etc..

A relevant view stated in a UNICEF protection strategy (1996) advocated mainstreaming protection measures into all sectors concerned with child rights. Accordingly, the concept of child protection would be extended to include the protection of child rights, in addition to the personal protection of the child.

Conclusion

Understanding the nature and vision of the CRC would entail recognizing:

- The CRC struck a balance:
 - ⇒ Between social, economic, cultural rights, and civil rights and freedoms of the child
 - ⇒ Between parents’ responsibility for child upbringing, and State’s responsibility to render support and assistance to parents
- General overarching principles stipulated in articles 2, 3, 6 and 12 are to be observed throughout all phases of CRC implementation;
- Child rights are defined and qualified by international minimum standards that must be observed;
- The CRC may be complemented by other binding international instruments;
- Child rights are indivisible, inter-related and interdependent;
- Child rights are usually classified into clusters. The clusters of rights are intra-related and inter-related;
- The implementation of child rights entails a process of programming;
- All child rights contribute to an ultimate goal: the realization of the full harmonious development of every child.

3. Programming Child Rights

In adopting a rights-based approach to the implementation of child rights, the strategy should advocate undertaking a technical process of programming child rights.

Programming child rights should adhere to the general overarching human rights principles stipulated in the CRC and other related conventions and agreements on human rights; in addition to the requirements indicated for the realisation of indivisible and inter-related child rights.

- As indicated previously the general overarching principles stipulated in the CRC are: non-discrimination (Article 2); the best interest of the child given primary consideration (Article 3); ensuring the survival and development of the child (Article 6) and the child's right to participation (Article 12).
- In implementing child rights, the qualifications and conditions stipulated by the CRC for each right represent minimum standards that should be observed.

Concrete Realization of Child Rights:

Programming human rights and in particular child rights, raises a particular issue: how to translate the normative stipulations that qualify child rights into concrete procedures conducive to their realisation?

A UN inter-agency meeting was organized by WHO in 2000 and attended by the deputy UN High Commissioner for Human Rights to discuss the technical challenges of implementing economic, social and cultural rights. The Commissioner stressed the urgency for “getting concrete”: to “ensure that international standards are integrated”; “understanding the nature of these rights”; and assessing their “availability, accessibility, affordability and quality”. (WHO, 2000). These issues were addressed in a UNICEF document (Azer 1994) and entail designing criteria for the concrete realisation of child rights.

3.1 Criteria for the Concrete Realization of Child Rights

The following criteria should be observed in undertaking all the phases of the programming process including: planning and designing policies and programmes, followed by implementation, monitoring and evaluation.

3.1.1. Ensuring the Substantive Content of the Right

Social, economic and cultural rights are usually ‘qualified’ with particular specifications, standards and conditions. This implies that the ‘right’ would not be ensured if the specifications are not observed. The International Committee on the Rights of the Child indicated that the specifications and qualifications stipulated in the CRC for each right represent minimum standards that States should abide by.

- For instance, articles 28 and 29 of the CRC stipulate conditions and specifications which should be observed within education systems, particularly that primary education would be compulsory and free and that education would be oriented towards the development of the child's personality, talents and capabilities.
- In this connection we would remind the reader of the principle of complementarity of related international Conventions (Gready and Ensor 2005). For instance:
 - ⇒ The UNESCO agreement of the 10th of December 1960 stipulated that the diversification of education should not result in providing low quality education for some children. This principle complements articles 28 and 29 of the CRC.
 - ⇒ ILO Convention No. 182 of 1999 on the Elimination of the Worst Forms of Child Labour complements article 32 CRC.
- Rights that are created by custom or contract would be valid if they do not conflict with international standards. For instance, it would be possible to resort to local customs that encourage particular models for girls' education. It would also be possible to establish with employers contractual agreements that provide effective protection for youths in employment or which allow them time to pursue their education.

3.1.2. Accessibility

Article 2 of the CRC stipulates that State Parties shall respect and ensure the rights set forth in the Convention to each child without discrimination of any kind. However, experience reveals that implementation may fall short of universal accessibility due to a shortage of financial resources or mismanagement. More serious are the cases of explicit or implicit discrimination, such as articles 4, 103 of the Labour Law No. 12, 2003 which explicitly exclude categories of working children from Labour Law protection.

3.1.3 Functionality

The provision of the substance of the right should respond to the needs and interests of children in different sectors of society. It should be relevant and practical in achieving its purpose and not merely decorative. This requirement may face methodological or practical challenges or biases. An analysis of comparative systems reveals that the vision of policy makers might not be in accordance with the interests of the poor (Kiviniemi 1989). In a study on education undertaken in Assiut governorate, poor parents indicated that Basic Education serves the interest of well-off families, whereas the interest of their children would require in addition vocational training skills suitable for the labour market (Boulos referred to in Azer 1994).

3.1.4 Affordability

It is conceded that incurring financial burdens often represents for the poor obstacles preventing them from obtaining basic rights. Some systems ensure for low- income groups free or subsidised services that take account of their financial situations.

3.1.5 Sustainability

The fulfilment of rights would not be ensured to vulnerable groups without taking measures to guarantee their continued enjoyment. Quite often, the initial enrolment of poor children in school is disrupted by various negative factors leading to school drop out.

3.2 Coordination and Integration of Child Rights

As indicated previously, the rights-based approach is not realized by the implementation of individual or separate rights. The CRC embodies clusters of rights which are intra-related and inter-related. The coordination and integration of these related rights is essential to achieve child rights. For instance, “girls’s” right to education can be achieved more effectively if measures are also implemented to address their rights to freedom from discrimination, protection from exploitative labour, physical violence and sexual abuse, and access to an adequate standard of living” (UNESCO -UNICEF 2007).

Moreover, child rights interact within a particular national context which should be taken into consideration in designing policies and programmes.

Conclusion:

- The rights-based approach should be observed throughout the process of programming child rights.
- Experience in the implementation of economic, social and cultural rights reveals the need for:
 - ⇒ “Getting concrete”, understanding the nature of rights, ensuring international standards, availability, accessibility, affordability and quality.
- Thus, child rights-based programming entails:
 - ⇒ Observance of human rights and child rights overarching principles;
 - ⇒ Recourse to concrete criteria to guide the realization and fulfilment of rights and,
 - ⇒ Ensuring the inter-relatedness and integration of child rights within the national context.
- CIDA has been developing child rights programming in both its education and private sector thematic areas. These efforts can contribute to the development of a comprehensive child rights strategy.

4. Situation Analysis: Obstacles to Child Rights in Egypt

Egypt has been in the forefront of the countries in ratifying the Convention on the Rights of the Child in 1990. Ever since, the country has striven to give primary consideration to children. However, realities indicate various forms of child deprivation, inadequacies in child protection and cases of structural exclusion. These issues raise some crucial questions: Why do deprivations persist in spite of exerted efforts? Do the policies designed represent a comprehensive vision? What are the obstacles to child rights?

The situation calls for a conceptual and methodological analysis, particularly analysis of the technical processes involved in policy design and implementation of child rights in Egypt.

4.1. Approach to Implementing the CRC

4.1.1. Legalistic Approach to Design the Child Law 1996

Following the near universal ratification of the CRC, some international agencies advocated the primacy of legal reform of national laws to comply with CRC principles and stipulations. State Parties to the Convention adopted different approaches (UNICEF report 2004). Some countries undertook constitutional reform; others incorporated CRC principles into existing national laws and a third category formulated special “child codes”.

Egypt adopted a special code, “the Child Law” (1996) which codified some existing laws concerned with children, in addition to incorporating few CRC principles. The outcome was defective on several grounds:

- The code was a predominantly legalistic undertaking that failed to capture the vision and spirit of the CRC and its multi-disciplinary approach to child rights. The International Committee on the Rights of the Child, on occasion of reviewing Egypt’s periodic report in February 2001 pointed out the legalistic nature of the Child Law, in particular its treatment of “status offences” such as child begging and truancy.
- The code did not tackle the deficiencies which exist in some laws, such as the lack of labor protection of working children; such as domestic workers and children in agricultural occupations.
- The purely legalistic approach did not have an impact on previous policies. UNICEF reported similar instances in other countries, adding that they “can cause confusion and undermine the effectiveness of the code” (UNICEF report 2004).

Some deficiencies of the Child Law 1996 were amended by Law No 126, 2008. However, the inter-relatedness of child rights and the coordination of policies are still lacking.

4.1.2 Policy formulation

The early methodological approaches to the formulation and design of social policy were undertaken on a sectoral basis; each government department independently designed and delivered its programs and services. Each program allocated inputs intended to achieve a particular sectoral output, unrelated to other programs or sector targets. This approach still prevails in Egypt. Experience reveals that this approach results in fragmented and partial outputs that fall short of contributing to integrated holistic outcomes. Likewise, protection programs for vulnerable children are fragmented and interventions are introduced after the occurrence of problems (Azer 1994). Although some strategies have set targets for providing comprehensive and integrated services, the fragmentation in government performance still persists.

A recent report (NCCM 2006) on the feasibility of allocating a child rights budget concluded that:

- Ministries concerned with child matters are still grappling with ways to collaboratively design and implement comprehensive, integrated strategies.
- Mechanisms to translate strategies into actions are still lacking.

Naturally, the coordination of efforts pre-requires a shared and coordinated vision between the institutions concerned. This preliminary, but crucial requirement is often hindered by misunderstanding or misjudgment of children's needs circumstances and problems (Crawford 2001). Adequate policy formulation is conditioned by overcoming the insularity of government ministries and departments, followed by remolding the current fragmented and unconnected programs. This task would entail commitment to a child rights-based vision and approach to policy formulation.

4.2. Non-Fulfilment of Child Rights

The adoption of a child situation analysis reveals a strong link between child vulnerability and the non-fulfillment of child rights (Klasen 2001; Micklewright 2002). The processes and mechanisms that deprive individuals and groups from rights and opportunities may exist at macro-level – embodied in legislation or policy – or at micro-level, hindering the implementation and enjoyment of individual rights at a local community level.

In fact, a rights-based analysis of child deprivation reveals various patterns of dysfunction in policy formulation and/or policy implementation. The patterns of dysfunction can be classified into two main categories:

- Explicit or implicit exclusionary policies and processes; and,
- Non observance of a holistic child rights approach.

The following paragraphs will provide examples of the two forms of dysfunction and their impacts on child rights.

4.2.1. Patterns of Explicit or Implicit Exclusion

A UNICEF report on the State of the World's Children (UNICEF 2006) presented the following definition: "children are considered 'excluded' if they are deemed at risk of missing out on an environment that protects them from violence, abuse, exploitation, or if they are unable to access essential services and goods in a way that threatens their ability to participate fully in society in future".

The UNDP adopted a rights-based definition of social exclusion, defined as "lack of recognition of basic rights, or, where recognition exists, the lack of a system that makes rights a reality" (Minujin 2005).

Comparative studies of exclusionary processes shed light on "the fate that awaits children who suffer from various disadvantages in childhood which threaten their capability in future" (Mickelwright 2002).

Explicit and implicit forms of exclusion from entitlements to basic rights represent violations of international law. The following instances in Egypt call for urgent legislative and policy reform.

Explicit Exclusion

Various reasons might induce the explicit exclusion of certain persons from entitlements to basic rights. In some cases exclusion is a form of economic exploitation, or discrimination favoring particular groups and neglecting the underprivileged. In other cases, the cause may be due to mere policy misjudgment. The following are instances of explicit children's exclusion from basic rights.

- The Labor Law (Act No 12, 2003) prohibits the employment of children below the age of 14 years and provides regulations for the employment and protection of youths aged 14-17, including working hours, protection measures in work sites and prohibition of employment according to age in hazardous occupations. However, consecutive labor legislations, including the current Labor Law, have explicitly excluded categories of working children from labor law protection; the excluded categories are:
 - ⇒ Persons, including children, employed in domestic services (quite often girls), (article 4 the Labor Law)
 - ⇒ Family members of the employer, if the latter supports them (article 4, the Labor Law)
 - ⇒ Children employed in "purely" agricultural occupations (article 103, Labor Law)
- The Education Law prohibits the enrolment of children aged nine years who were not previously enrolled in primary education. The children may study at home and sit for examinations.

Implicit Exclusion

Legislation might guarantee the “formal” entitlement to certain rights, but children might actually be implicitly excluded from the enjoyment of their rights.

Implicit exclusion takes various forms; the following are some instances:

- Migrant working children submit to an exploitative system of work in menial and often hazardous occupations without any protection. “Contractors” provide loans for poor parents who accept to employ their children. The contractors transport the children to work sites where they work and live in harsh conditions, lacking basic services and amenities (Save the Children 2007).
- A system of rote learning persists despite consecutive efforts at reform. Moreover the curriculum does not respond to the diversity of individual abilities or to local community conditions (NCCM, report on Child Rights Budgeting 2006; Talaat in Arab Council for Childhood and Development 2007).
 - ⇒ A study in Assiut governorate indicated that for the majority of the poor (83%), basic education is a terminal stage. Poor parents interviewed believed that basic education is suitable for the well-off (89%) and stated that the best interests of their children would be better served by combining general education with occupational training (Boulos referred to in Azer 1994).

Misjudgment in policy often contributes to conflicts of goals and unintended outcomes. In conflict with the constitutional right to free education, the Education law (Act no 146, 1981) granted the authorities the discretion to require payment for “additional services”, “insurance for use of school equipment” and sitting final examinations.

Moreover, a Ministerial decree introduced a system of semi-obligatory private group tuition with payment of monthly fees for each course attended. The latter, in particular, has been a serious burden on the poor; the Egyptian Integrated Household Survey (AIHS 1997) revealed that the main reason for school drop-out was financial: among the non-poor (19.8%), the poor (31.4%), the ultra-poor (40.8%).

Though not intended, but nevertheless not considered, school expenses represent exclusionary measures for the poor.

4.2.2. Non-Observance of a Holistic, Universal Approach to Child Right

The most relevant achievements in realizing child rights have been in the health sector: the child inoculation system is efficient and effective; polio is mostly eradicated. However, the health policy- as is the case in all other social policies- still suffers from fragmentation and lack of uniformity.

A few examples would illustrate the need for reform:

- The right to health: health indicators show relative progress in the health of children. However, the rates of child mortality and morbidity increase in communities with higher incidents of poverty (Saharty et al. 2005 referred to in SRC-AUC 2007).
- The mortality rate of children under 5 years of age (2005) was 33 deaths per 1000 births. The rate was higher in rural areas than in urban areas (56.1 and 36.1 per 1000 births respectively). Poverty has a significant effect: the mortality rate of -5 years among the poorest quintile was almost three times higher than among the richest (74.6 and 25.1 per 1000 respectively). (Save the Children-UK, Egypt Child Rights Situation Analysis 2009)
- Stunting among children in Upper Egypt was three times higher than children in urban governorates.
- Children are exposed to a range of environmental pollution: fumes and dust from metal industries; fall-out of cement factories in inhabited areas; insecticides and pesticides, and other sources of pollution (UNICEF 2002).
- The insularity of different government departments and their policies contribute to preventable deficiencies in health care.
- Another important consideration is the quality and the substance of the health service:
- Studies reveal that public health care is often inadequate, resulting in the low utilization of the service. A study of the school health insurance program revealed that 85% of a sample of preparatory and secondary school students did not use the health service (Kamei 2001 referred to in SRC 2007).
- Other studies reported the out-of-pocket costs of health care for low-income families (UNICEF 2002).
- The EHDR (2005) emphasized the need for complementary policies combining health, nutrition, environment and education. Thus in fact adopting the principle of indivisibility of child rights.

4.2.3. Partial and Watered-Down Content

Policies concerned with the provision of child rights are by their nature inter-related and mutually reinforcing. Hence, a partial or fragmented approach falls short of fulfilling the CRC vision. Likewise, the delivery of watered-down contents of child rights or the non-observance of the qualifications and minimum standards stipulated in the CRC would constitute a violation of child rights and constitute a form of discrimination against the beneficiaries.

- The situation analysis of working children reveals that child labor is in fact a manifestation of multiple deprivation of child rights, including:
 - ⇒ The right to an adequate standards of living (article 27 CRC);
 - ⇒ The child’s right to an adequate, relevant and affordable education (article 28 CRC); and,
 - ⇒ The right to protection against exploitative and hazardous working conditions (article 32 CRC)
- Research reveals that poor children are driven by unaffordable and sub-standard education to work in hazardous occupations without efficient labor protection (SRC 2007).
- Another form of policy dysfunction occurs when formal laws are divorced from social reality and become a “dead letter”. A typical example is the Labor Law. It prohibits the employment of children below the age of 14 years and stipulates work regulations and protection measures for working children. However, both stipulations are not observed and not implemented. In the case of working children below the minimum age, the combination of poverty and unaffordable low quality education is conducive to early child involvement in the labor market. The non-observance of protection measures is, on the other hand, due to the inertia and inefficiency of labor inspectors. Experience being gained through CIDA’s private sector program may provide alternate ways of responding to child labour issues.

4.2.4. Lack of Coordination of Locally Accessible Services

The lack of coordination between government ministries and departments in designing cohesive and integrated policies is exacerbated by the lack of coordination in the delivery of the services at the local community level.

Meanwhile, various countries have recognized the need for establishing proactive multi-disciplinary mechanisms at the local community level to integrate the delivery of services. For instance the “circumscription” system in France is a local multi-disciplinary mechanism that integrates welfare and protection services for children and families (SRC 2007).

5. Overcoming the obstacles

Overcoming obstacles to the realization of child rights entails, in addition to commitment to a rights-based conceptualization and approach, a process of instilling a human rights culture within national institutions. (WHO, 2000) The process represents a visionary shift and commitment to human rights, values and principles and a genuine belief in the inherent dignity of every child. A proactive strategy would be required to synchronize the following components:

- Good governance at the national level is a necessary requirement for the genuine and effective adoption of the rights-based approach.

- Instilling a human rights culture within the implicated agencies would require:
 - ⇒ Top management conviction, staff training and inter-agency collaboration;
 - ⇒ Capacity building, developing multi-disciplinary skills and the ability to make conceptual linkages;
 - ⇒ Standards setting, development of human rights indicators;
 - ⇒ Strengthening the capacity of partners.

- Institutional arrangements, laws and regulations should be assessed and analyzed. Analysis would go beyond basic mapping to analyze duty-bearers' accountability, the hidden forces and root causes of violations and deprivation, the power structures within society, and the prevailing values and class interests (Veneklasen et.al. 2004 and WHO,2000)

- The materialization and implementation of human rights result in a significant shift in “empowerment”, requiring political, social and cultural changes within society and its institutions. Experience reveals that such changes encounter resistance in traditional cultures. Change would require concentrated efforts and proactive strategies.

- The “right to participation” is a key principle for both good governance and the adoption of the rights-based approach.

6. CHECKLIST THE RIGHTS- BASED APPROACH TO THE IMPLEMENTATION OF CHILD RIGHTS

Function of the Checklist

The check list is intended to clarify the implications of adopting a rights-based approach to the implementation of the Convention on the Rights of the Child. The check list is applicable to all the processes of implementation: starting with investigating the implications of each article for drafting legislation, policy and practice, followed by monitoring and evaluating the progress of implementation.

In using the check list, two general principles should be observed:

- The articles of the Convention are indivisible and inter-related; no article should be considered and implemented independently or in isolation of other related articles of the Convention.
- The general overarching principles of the Convention should be given special regard in implementing child rights.

The check list can be complemented with additional and more detailed questions pertinent to particular issues investigated.

Introduction:

The Rights- based approach to the implementation of the CRC:

In understanding, interpreting and implementing the CRC, the following principles should be observed.

- The CRC introduced a new comprehensive vision of addressing all child concerns, based on human rights principles.
- Human rights principles and the general principles of the CRC guide all the phases of child rights implementation.
- The CRC stipulates normative minimum standards that should be observed.
- Child rights are indivisible, inter-related and contribute to the ultimate goal of the CRC: to **realize the full, harmonious development** of every child.
- The implementation of child rights is achieved through a process of programming child rights.

Programming entails understanding a technical process comprising:

- ⇒ A situation analysis of children within the national context.
- ⇒ An assessment of the capacity of government, civil society and other relevant duty-bearers to fulfill their obligations towards the rights- holders.
- ⇒ An assessment of rights-holders' capacity to claim their rights.
- ⇒ In view of the situation analysis, adequate policies/ programmes should be designed for the realization of child rights.
- ⇒ Implementation of the policy/ Programme should observe rights-based principles throughout the “process” of implementation.

- ⇒ Monitoring and evaluating rights results.
- In assessing the various aspects of child deprivation, including deprivation of child rights, the analysis should entail the identification and analysis of the root causes of deprivation.

The process should comprise undertaking:

- ⇒ Causality analysis: searching beyond the immediate causes of the problem/ aspect of deprivation, to understand the nature of the violation and/or deprivation.
- ⇒ Role analysis: exploring the complex relationships between the different duty-bearers and the rights-holders, in order to identify the capacity gap leading to the non-fulfillment of the right(s).

1. The General Overarching Principles:

The general principles stipulated in the CRC should be observed in implementing all child rights (UNICEF 1998 and crin.org. Website).

Check List

A) Non- Discrimination (Article 2)

- Has the State identified particularly disadvantaged and vulnerable groups of children?
- Has the State developed policies/ programmes of affirmative action to reduce discrimination against disadvantaged and underprivileged groups?
- Is disaggregated data collected to enable monitoring of potential discrimination in the enjoyment of child rights? And differences in different regions (e.g. Rural/urban)?
- Does legislation, policy and practice ensure that there is no discrimination against children on the grounds of the child's/parents':
 - Race
 - Color
 - Gender
 - Religion
 - National origin
 - Property/ wealth
 - Disability
 - Other status
- Do the policy/ programme benefit children from different social groups? if the answer is yes, does it:
 - Adopt an inclusive approach?
 - Take into account the particularities and needs of the different groups?
 - Adopt affirmative action to include the vulnerable and disadvantaged children?
- Has gender analysis been undertaken?

- Does the policy/programme include a gender component? Does it empower the underprivileged?
- Does the policy/programme take into account the interests of the underprivileged? Does it provide them with different options and choices?
- Are they appropriate in quality? For children's future prospects?
- Are there efforts or plans to lobby government and other actors to mobilize resources and efforts in order to eliminate discrimination?

B) The Best Interest of the Child (Article 3)

- In designing the policy/ programme, did the budgetary allocations determine / limit the content and the objectives intended?
- In designing the policy/programme, has the "best interest of the child" principle been given particular consideration? how?
- In case of the following conflicts of interest, how are they resolved:
 - Deprived family background and the child's right to development?
 - Family neglect and the child's exposure to risk?
 - Family's need for financial support and the child's right to education and development?
- Have the children participated in deciding or been consulted in determining what is in their best interest:
 - In the design of the policy/programme?
 - In the process of implementation.
 - In administrative and judicial procedures concerning them.
 - In cases of conflict of interests.
- In allocating the budget, is the best interest principle taken into consideration?
- How is the best interest determined? Have criteria been developed in some areas? Are they stated in laws, regulations or determined / left to the discretion of practitioners?
- Are there instances in which "empowerment" is required to achieve the best interest of the child.
 - for boys
 - for girls
- Is there adequate monitoring to ensure that the best interest of the child is observed and implemented?
- Are there efforts or plans to lobby government and other actors to undertake impact analysis before taking decisions, designing policies, programmes, etc?

C) Survival and Development (Article 6)

- Is there a clear vision and direction among concerned departments and agencies of the requirements for child survival and development?

- Is there efficient coordination between concerned agencies (multi-sector approach) to ensure this principle? Is there a comprehensive strategy for realizing the “full harmonious development of the child”?
- Are there appropriate and efficient measures for monitoring and addressing different forms of neglect, violence, abuse and exploitation?
- For cases of children’s exposure to harm, abuse, neglect etc. are there measures for:
 - General prevention
 - Special prevention (for example: prevention of disability)
 - Alleviation/improving the situation only?
 - Tackling the root causes through socio-economic policies and measures?
 - Penalties for responsible persons
 - Termination of custody and institutionalizing the child
- What measures have been taken to ensure school attendance? And to prevent school drop-out?

D) Participation (Article 12)

- Are the views of children heard in all stages of policy/programme design? Are their views given adequate weight and consideration?
- Are there any cultural obstacles to child participation? Are there adequate measures taken to change biased attitudes and encourage participation
 - Within the family?
 - In schools?
 - In children’s and youth's clubs?
 - Through the media?
 - In administrative and judicial procedures?
- Is the child’s right to participation recognized by legislation?
- Does the child have access to adequate information to enable him/her to express informed views and to enable him/her to play a role in decision making?
- Does the child have access to effective complaints procedures? And does he/she have access to appropriate advice and advocacy?
- Are government bodies and other actors lobbied to encourage children’s participation?

2. Concrete Criteria for the Realization of Child Rights:

The CRC and related conventions and international agreements, stipulate particular normative standards and qualifications for the provision and implementation of child rights. These specifications represent “minimum standards” that must be observed. Non-observance of the standards would represent violations of the CRC.

The implementation process of child rights requires interpretation and adaptation of the normative stipulations of the CRC to contribute to concrete and practical considerations. The design of criteria is deemed necessary to guide the programming process of child rights.

A) Provision of the Substantive Content of the Right(s)

Each child right is qualified by particular contents which conform to the CRC vision of child rights. Moreover, child rights are indivisible, inter-related and often inter-dependent.

Check List

- Does the policy/programme take into account and observe the standards, qualifications and conditions stipulated in the CRC and other related conventions and international agreements?
- Is the content of the policy/programme:
 - Universally provided for all children?
 - Different/varied in quality for certain groups of children? Or in certain areas? In what way?
 - Relevant/takes account of needs of all categories of children? Is it biased in favor of certain categories?
- If there are parallel systems/ programmes, is one of them of a lower standard?
- Does the policy/programme recognize and observe the inter-relatedness of related child rights?
- Are the objectives of the inter-related rights well integrated into a holistic and comprehensive policy/programme, to contribute to a common outcome(s)?
- Is there adequate coordination between the ministries and departments in contributing to the realization of child rights?
- If the quality of the content (as designed) adequate, is the quality maintained in the process of implementation?
- If obstacles impede the realization (or adequate realization) of the content, is the impediment due to:
 - Conflicting policies or objectives?
 - Bureaucratic inefficiency?
 - Lack of coordination between related sectors?
 - Local customs and traditions?
 - Irrelevance to needs/interests of certain categories?
- Does the policy/programme contribute to the ultimate objective of the CRC: to realize the full, harmonious development of the child? Or does it contribute to limited/ partial outputs (e.g. services for alleviation of hardship, without tackling root causes)?
- Are the resources allocated adequate for the intended quality/standards:
 - Financial resources
 - Manpower (qualifications, training, numbers of professionals)
 - Infrastructure, equipment, materials
- Do protection policies/ programmes tackle:
 - Immediate causes only?
 - Root causes of problems?
 - Prevention?
 - Provide parental support?
 - Combine welfare measures and protection?

- Are protection measures mainstreamed into all sectors concerned with children?

B) Accessibility:

State- parties are the principal duty-bearers who bear the responsibility of ensuring and realizing the rights set forth in the CRC. Other duty-bearers include parents, civil society, practitioners responsible for providing services etc...

Check List

- Does the policy/programme envisage and ensure the universality and accessibility of the right to all children?
- Are there adequate, scientifically based estimates of the availability and accessibility of child rights at the national and regional levels?
- The policy might guarantee universal accessibility, but implementation might fall short of universal accessibility. Is lack of accessibility related to:
 - Geographic/ regional areas?
 - Particular categories of children?
- Is lack of accessibility due to:
 - Shortage of resources?
 - Mismanagement?
 - Cases of discrimination?
 - Administrative difficulties encountered by beneficiaries?
 - Un-affordability of beneficiaries to meet costs?
- If the right is accessible, is the quality uniform or sub-standard for some categories of children?
- Is accessibility partial or incomplete (e.g. shift system in education or lack of medication)?
- Are there any measures taken by the state to reach out and include those who are deprived of their right?

C) Functionality (quality and relevance)

The provision of child rights implies the satisfaction of children's needs and interests. The adequate quality of the policy/programme and its relevance to children in the different sectors of the society, are pre-requisites for complying with CRC principles.

Check List

- Has the design of the policy/programme been preceded by an adequate assessment of the needs and interests of the children concerned?
- Are there parallel systems providing different quality and standards?
- Is the policy/programme biased in favor of certain social groups? Does it take into account the interests of poor and underprivileged children?

- Does the policy take into account the future prospects of the children? Is the policy/programme limited to the alleviation/improvement of current situations and hardships?
- Do certain social groups, particularly the underprivileged, believe that the policy/programme is:
 - Irrelevant to their needs
 - Biased in favor of other social groups
 - Of low quality and does not benefit them?
- Is the irrelevance of the policy/programme due to:
 - The designers lack of knowledge of the needs and interests of the underprivileged?
 - Different views and values of the designers and the beneficiaries?
 - Bias or lack of concern?
 - Inefficiency in implementation?

D Affordability:

The design of the policy/programme which provides a service should take account of the financial ability of the different social groups. The financial costs are often obstacles to the realization of the rights for the poor.

Check List

- Does the state impose payment of fees for the provision of basic rights in:
 - education
 - health care
 - social services
- Some services are (according to the Constitution or the law) free of charge (e.g. primary education)
 - do the authorities require payment of costs (e.g. private group tuition)
 - If the fees are imposed, are the underprivileged exempted?
 - In case of inability to pay, is there any measure for recourse to demand exemption.
- Is the basic service only provided by the private sector and is non-affordable for the underprivileged?

E) Sustainability:

Entitlement to a right implies the sustained enjoyment of the right. However, the entitlement and the initial accessibility do not guarantee sustained enjoyment of the right.

Check List

- Are there obstacles or intervening factors which impede the sustained enjoyment of the right?
- What is the nature and causes of these obstacles?
 - Negligence of state institutions

- Lack of government resources
- Lack of support to the child and his/her family
- Disinterest of the child and/ or family.
- Inability to pay cost.
- Natural causes or health problems.
- Is there a mechanism responsible for monitoring the realization and sustainability of rights?
- Is there a process for tackling obstacles and for the inclusion of the deprived?
- Is there a policy for the prevention of deprivation and for the prevention of obstacles to sustainability?

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SECTION II

EDUCATION

1. Promotion of Child Rights/Building on CIDA's Experience in Education in Egypt

CIDA's contribution to education in Egypt has included community education, formal education, non formal education and adult learning as follows:

1.1 Community Education – Steps I:

CIDA has supported the expansion of community education to deprived children in hard to reach, remote and underserved areas, and which is now being replicated by the MoE's one classroom school department. It has established a model of girl friendly community education which is now being replicated by national agencies (NCCM). It has further instituted a model of effective pedagogies which has now been espoused nationwide, in mainstream schools. And finally, it has placed community education on the national agenda of the MoE's national strategy of Education for Egypt

CIDA's programs in community education (One Classroom School and UNICEF Steps I - Support to Egyptian Primary Schooling Project) were clearly based on aspects of child's rights from inception to implementation. These aspects were:

1. Inclusion of girls deprived of formal education
2. Inclusion of children from poor families
3. Inclusion of children in remote areas, especially in remote rural Egypt and pockets of urban poor neighbourhoods.
4. Provision of educational opportunity to children who often had to work on family farms or in urban enterprises, as children worked albeit part time and in family enterprises.

These interventions succeeded in **testing and verifying models** of educational access and quality in public education, integrating the provision of health care, freedom of expression and participation, empowerment and voice, and an opportunity to play and recreate, participation and the empowerment of children, local communities and parents.

1.2. Formal Education – Steps II:

CIDA has also been at the forefront of initiatives to improve pedagogies and curricula in mainstream formal education through the STEPS II programmes. It is suggested that these improvements contribute to reducing the rates of children who drop out in order to work and thus form an integral part of a strategy targeting working children. While it may appear that CIDA may have challenges influencing, at the national level, the contributing factors which drive children out of school and into the world of work at an early age, i.e. poor school experience, yet they can contribute in a meaningful manner by producing and

promoting good models to address such situations. Conceivably, CIDA can influence aspects of inclusion through the development of models and advocacy at the national level.

CIDA's contribution to basic education with its bi lateral partner, the Ministry of Education of Egypt (MoE), through the Steps II project has provided a good foundation for a model which Egypt's MoE can follow in its quest for nationwide reform and has prepared ministry staff to become professional reform agents.

1.3. Working Children:

CIDA's work in the area of working children relied on partnerships with Egyptian and Canadian civil society organizations (PTE – MEDA) and the private sector (CID Consulting); in the PPIC-Work project targeting working children in small workshops, and in the Brick Factories of Arab Abou Saed in Giza, partners in the Climate Change Initiative introduced by CIDA in 2002.

Egypt's experience in educating working children supports the strong need for partnering with civil society organizations as NGOs have been implementing projects that address the health, recreational and learning needs of working children directly in the neighbourhoods that provide employment opportunities for children in local workshops, in quarries, in brick factories, in the service industries, and in agriculture in rural areas. Involving civil society has given the issue of working children greater public visibility. It triggered discussions with government and the private sector on how the private sector can ensure that their practices are 'child-friendly'. Through ownership of project actions by local partners, CIDA was able to influence relevant stakeholders towards the provision of better work conditions and access to supplementary, flexible education. Such partnerships enhance the sustainability of projects, as civil, political and private institutions are made to come together with a common aim, and the relationships built between them can continue after CIDA funding has ended. A strong ICS component is therefore important in CIDA's strategy for Child Rights in the forthcoming phase.

1.4. Adult Learning:

CIDA has supported the Caritas' Literacy program in Egypt. This program reaches out to school children and youths as well as marginalized, poor adolescent girls and women in remote and hard to reach, under served rural areas of Upper Egypt. It is a particularly significant program, given that it reaches girls who have missed the cut off age of enrolment in formal schooling (9 years of age) and have still not reached the official age where they can join formal adult literacy classes (12 years of age). Girls falling in this category have no option but to join NGO literacy programs or one classroom schools if they exist in the community. Both are flexible about age related requirements for enrolment.

Caritas participated with a few leading NGO's from Upper Egypt in drafting a National Strategy for Literacy and Adult Education and has drawn an implementation plan for the strategy, in collaboration with the Adult Education Agency (AEA). The strategy offers

CIDA an option to intervene in that sector on a broader scale and in a manner which can specifically target young girls and adolescents.

1.5. Adolescent Girls and FGM:

CIDA collaborated on the girl child's rights in the FGM free village initiatives under the auspices of the National Council of Childhood and Motherhood. It has also pooled resources with other donors supporting school feeding programs for early childhood programs, such as with the World Bank and the World Food Program in Egypt's Early Childhood Education Program.

2. Child Rights Approach in CIDA Egypt Programming

Rights Based Model and the Economic Growth Model: Concurrently with the Child's Rights approach, Egypt is presented with numerous alternative approaches to tackling its educational challenges. The World Bank and other international institutions present the 'economic growth' model which places the universal right to education within the context of investments in human resources and labour market needs.

These agencies warn Egypt of the grave challenges it faces in preparing its youth for the competitive global economy. They propose that Egypt view the resources spent on education as *investments* in human capital, building capability for successful living; engendered through quality education" (WB 2007). They go on to warn that 'inadequate human capital constrains productivity and growth and compromises the overall well-being of citizens', and present evidence that worldwide, investments in infrastructure, e.g. dams, roads, etc. yield low returns if there is an absence of capable human capital.

It is significant that the two models are not mutually exclusive. A Rights Based approach would certainly call for children's access to quality education in a manner which would equip them for inclusion into labour markets – both local and global. It is important for CIDA to determine how its partner, the MoE perceives the issue of education and how it perceives its children: as members of society who are entitled to rights as well as entitled to build themselves as assets contributing to personal and national growth and fulfilment.

Gaps still exist in a number of areas of achieving a rights based approach. These are summarized below:

2.1. Gaps in Programming in Community Education

While CIDA's programming in community education in Egypt has produced a world renown model, gaps still exist in institutionalizing the model within the MoE. The department of Community Education (previously the One Classroom Idaara) has demonstrably significant capacity building needs. Educationists have argued that CIDA would achieve better results by partnering with NGO's as technical assistance sources for that idaara, as well as use the technical assistance team developed by UNICEF under the Steps I program and now working with the National Council for Motherhood and Childhood's Girl Friendly Initiative.

2.2. Gaps in Programming in Formal Education

Given the complexity of addressing the numerous gaps in formal education, CIDA might consider designing new, innovative programs which address the high drop out rate of the poorest of the poor, those with the lowest attainment levels and least ability to bear the burden of schooling costs. CIDA might consider the following:

- Creating a system of school accountability, based on incentives and accreditation, to reduce the need for private tutoring. Private tutoring represents on average a third of household spending on education. (Egypt Household Education Survey, 05/06).
- Strengthen social work in the schools
- Create more curriculum choices
- Reach out to the non enrolled
- Prevent drop out of children from school by rendering the school a more child friendly place, improving learning pedagogies, relevance of curricula and promoting respectful treatment of children at school;

2.3 Gaps in Programming for Working Children

An important gap in the work with working children is the lack of enforcement of the laws regulating child work (Rights Based Analysis of Child Protection in Egypt-CID Report to Save the Children UK). As a general rule, the law prohibits the employment of children below the age of 14 years (with exceptions for 12-14 year olds in seasonal work). This prohibition is far from being respected in Egypt. Numerous studies have enjoined law enforcement agencies to act in a manner which does not penalize violators (parents and employers alike) but rather to adopt socially constructed responses to the phenomenon. Studies show that the largest age group among child workers is 6 to 14 (Integrated Development of Street Children in Cairo and Alexandria project – CID report to CARITAS). Further protective regulations prohibit the employment of children below 15 years in particular hazardous occupation. Children below 17 years are also protected from employment in listed dangerous occupations. These regulations are routinely violated and have not been addressed with development oriented responses which would protect children and provide alternative economic options for parents and children alike.

More gaps exist in the laws that exclude some categories of children from legal protection, such as children working in domestic services, children working in family setting and children working in purely agricultural work. “The disentanglement to legal protection exposes these categories to various forms of abuse, exploitation and deprivation, including the absence of opportunities for advancement, in addition to the probability of having to submit to a state of "enclosure" within the boundaries of an underprivileged existence” (Ibid).

Taking a RBA requires that the whole situation of the working child be addressed and not just the education side. Thus, poverty reduction should form part of a programme targeting working children. But since it is inconceivable that any donor can reduce poverty in Egypt, CIDA might consider one of two tracks:

- 2.3.1 Developing a model in the same manner that it did with the community schools model. CIDA would build on tried and true experiences in the non

formal sector of education, and would distil the long and expansive experiences of actors in that sector: NGO's, the National Council of Childhood and Motherhood (NCCM), the Ministry of Manpower and Labour, the local informal sector, UNESCOo, etc.

- 2.3.2. Influencing policy on that issue through the support of NGO's in their advocacy vis a vis the relevant government bodies (Ministry of Social Solidarity - MoSS, Ministry of Manpower and Migration, Ministry of Trade and Industry) and through work at the local level, with the families (micro-credit, food aid, dual technical education system where children learn and earn while they work).
- 2.3.3. Engage actors in a public debate around the need for a holistic approach to the issue, which would entail addressing the economic challenges faced by families such as high school related expenses, negative school related experiences, irrelevant education which is not linked to the needs of the labor market thus making it an investment which yields negative returns for parents and children alike.

2.4. Gaps in Programming in Adult Learning

Much still needs to be done in the domain of adult literacy in Egypt as statistics demonstrate poor adult literacy levels. Additionally, rising drop out rates from formal schools promise further increases in the numbers of illiterates in the next few years. CIDA can play a major role by collaborating with NGO's who have been working in that sector for decades. They do not view their work as an enterprise leading to addressing literacy gaps or 'filling the sources of illiteracy'. CIDA can fill the gap which currently exists between the NGO approaches to adult literacy and the Adult Education Authority's approach. The former have:

- A clear vision about the *centrality of justice and empowerment* and full participation of citizens in their communities and the wider national community in mind when shaping program content and designing program delivery methods.
- A concrete understanding of Literacy as a Process and not just an Activity: programs are conceived and designed as a *lifelong process* where gradual transformation of the individual learner is reflected in collective learning of the community.
- An expansive view of partnership with community groups reaching excluded segments of the population, such as street children, working children, drop out children, un-enrolled girls, illiterate youths, rural women, unskilled youths, working men, etc.
- Approaches that are in tandem with International Conventions and Programs: such as the Rights Based Approach, the Child's Rights Approach, and the Millennium Development Goals, and UNESCO's UNLD with its various themes (gender, sustainable development, health, empowerment, peace).

3. Strategic Directions

Strategically, it is doubtful that any international partner can design education programs in a manner which can guarantee the attainment of full rights given the complexity of that. This is further compounded by the implications of children's rights being indivisible and inter related given that they are embedded in the socio-political culture in which children are raised, nurtured, and learn.

Based on the analysis above, it is important to scrutinize elements of CIDA's programs in order to determine whether CIDA should continue in the same direction or whether it is time for CIDA to strategically change its course.

3.1. Community Education - Steps I:

Steps I provided a model of access for children who had hitherto been deprived of their rights to access any educational programs be it on account of poverty, having to work, living in remote areas, or gender. The model adopted a Child's Rights approach to learning. Having provided the MoE with that model, it is heartening to see it now officially adopted in national plans. Strategically CIDA needs to complete the missing piece of the puzzle and support the One Classroom directorate with quality elements still lacking which keep the model from becoming a national reality. The Technical Assistance team operating which was created and developed under CIDA's Steps I program and which now operates through the NCCM's Girls' Education Initiative providing the One Classroom School idaaras with quality inputs and girl/community friendly models can carry the model forward to maturity and full mainstreaming.

From a Child's Rights perspective it is certain that the children who seek and access community education are amongst the most marginalized and deprived of the right to an education, particularly quality education. From an aid effectiveness perspective, the one classroom directorate is one of the more challenging entities in the Ministry of Education and will require long term system inputs to effect its transformation. From an investment perspective, the technical assistance team now hosted by the NCCM has proven their ability to effect quality inputs in education for children in poor and marginalized settings, training facilitators in essential child's rights approaches incorporating respect, participation and empowerment.

Community schools are the only model which provides a completely tuition free opportunity to learn, do not come with the added burden of school related costs and do not offer private tutoring. They include essential elements of quality learning focusing on intensive, professional development of facilitators, and close technical field supervision. They constitute the remaining interventions which CIDA's partner needs to carry through to that last portion of the journey towards ownership and sustainability. This can be implemented by building the technical capacity building of the One Classroom School idaara, by expanding the technical reach of the technical support team which accompanies facilitators through the quality components of the program and by supporting the MoE in effectively decentralizing the entire community education department at all levels.

3.2. Formal Education - Steps II:

CIDA's Steps II has provided the MoE with elements of a roadmap which has engaged key local MoE staff. They have been trained to adopt practices which should lead to quality education. These were implemented in 60 schools in one idara in each of the three governorates of Assiut, Sohag and Qena. Institutionalising that process requires a number of things, one being that mudiriyya level staff, capacitated and empowered in a decentralized system of education, lead the process forward at the governorate level and replicate the reform in the remaining schools in their governorates. But since the MoE's emphasis thus far has been on access and the journey towards universal quality is a long one, it would be preferable for CIDA to give the Egyptian government a chance to implement and sustain that model through its decentralization schemes. Other major donors in the field of Education can play a more significant role (e.g. USAID) until such time when the features of decentralization have been articulated and operational. This would allow CIDA to observe the process and gauge the effectiveness of support.

In order to map a path to future programming, CIDA should ensure that its partner, the government of Egypt, targets children from poor families, in remote and underserved areas, girls in rural Upper Egypt, and working children, as priority groups in its Rights Based Policies..

Studies which have scrutinized Egypt's record on those issues report that few explicitly pro-poor education policies have been enacted (WB report No.42863-EG, June 29, 2007). The Egyptian Constitution upholds the principle of 'Equal and Free Education Opportunities for All'. This presumably ensures every child's right to quality education, regardless of economic or social class. But policies enacted in more than a decade show contradictions to that principle. A case in point is the establishment of 'experimental language schools,' which provide lessons about effective structure implement school-based reform, decentralization and adopt comparatively participatory practices. They charge high fees and are available to urban families with higher incomes, not poorer communities. These policies do not seem to have been enacted to benefit the poor and the vulnerable. A review shows only 2 decrees prohibiting private tutoring and allowing NGOs to establish one-classroom schools as measures attempting to resolve educational issues facing the poor. Rights based, pro poor policy would have sought to eliminate tuition fees, and current fee-paying group tutoring on school premises.

Egypt does not seem to have pursued either strategies of "targeting within universalism" or explicitly pro-poor policies in the education sector. Evidence from around the world suggests that without a minimum measure of specific and targeted, effective policies to benefit the poor, it is more difficult to build a human capital base and reduce poverty.

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SECTION III

SME'S AND WORKING CHILDREN

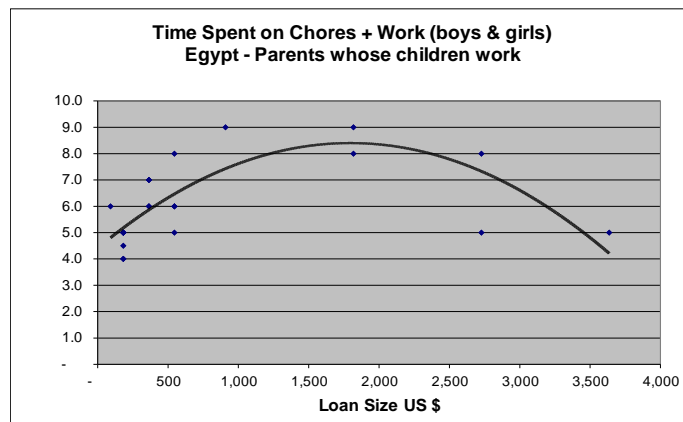
1. Historical Context

CIDA's SME programming began in 1990 with the WIF (Women's Initiatives Fund) Project that helped low income women start and expand small and micro enterprises in Upper Egypt. Early success through the WIF project resulted in a request from SFD (Social Fund for Development) that the WIF experience be adapted to support their employment creation efforts in the promotion of new (start-up) small enterprises. The SMEDUP (Small Enterprise Development – Upper Egypt) Project began with SFD in the mid 1990's and again focused on Upper Egypt. Other CIDA SME projects followed and expanded the geographic coverage to include parts of the delta and the range of issues being addressed to include SME policy development with the government of Egypt.

Initially it was expected that the primary impacts of SME programming on children would come through increased family incomes whether for client business owners or workers within client businesses. Children would become the passive beneficiaries of these increased levels of income and improve their lives through better access to education, health care and other benefits associated with a better standard of living. The experience of both the WIF and SMEDUP projects as well as subsequent studies carried out in Egypt and elsewhere found that children were often active participants as workers in many of the micro enterprises that were being supported through the CIDA SME programs. The impacts of the SME support programs on these children could be both positive and negative.

2. Children's Active Involvement in Micro, Small and Medium/Large Scale

A study of 100 WIF clients (micro and small enterprises) found that about half of these businesses employed children and that children worked to support themselves and their families. In over 90% of these cases children were working with their own family businesses and were combining work and school but the work was not without problems. While the income derived from the children's work contributed to family income and helped cover the costs associated with children's schooling as well as meeting other family needs, long hours spent at work conflicted with children's abilities to study and perform well at school and work activities could involve exposure to various types of hazards.



The CIDA funded study on the “Impacts of Microfinance Initiatives on Children” carried out in Egypt, Bolivia India and Tanzania showed that children played an important role in the initial growth of family enterprises once they begin to access credit through microfinance programs. The time that children spend either replacing their parents (often mothers) within the home by carrying out additional chores or working in the family business is directly influenced by the size of the loan provided as shown in the figure above. As the business begins to expand (accessing loans from 0 to \$2000), children provide the additional labour required by the business at a time when business revenues are not sufficient to support the hiring of an adult employee. The contributions made by children allow the enterprise to grow while maintaining income within the family. Outside the business, children contribute by taking on increased levels of chores within the family. As the business expands further (accessing loans from \$2000 to \$4000) the business begins to employ adults and reduces the work time of children.

The SMEDUP project again showed that children were active participants in the various types of small, formal-sector businesses that were served through SMEDUP. In field surveys carried out with over 500 clients, children below 15 years made up more than 30% of the new labour force that was being created in sectors such as auto mechanics and metal working. These children generally worked outside their families and in many instances were not attending school. Their work provided them with an income but more importantly from their point of view provided an opportunity to learn a technical skill that would prepare them for a future career. Work place hazards were generally more common and more serious than in the micro enterprises that were supported through WIF.

Children also work in medium and larger scale enterprises and it is in these larger scale businesses where some of the worst forms of child labour occur. Sectors such as quarrying in Minya, metal (especially lead) smelters in Qalubaya, furniture finishing in Damietta and brick manufacturing in the greater Cairo area all involve children in inherently hazardous types of work.

3. Working Children

The government of Egypt estimates that there are 2.6 million working children in Egypt (NCCM 2004) and while the majority of these (70%) are involved in agriculture there are approximately 1.2 million children working in the types of businesses that are served through CIDA’s SME program. Developing programming that reaches these children through existing and new SME program initiatives will allow the CIDA SME program directly impact the lives of a large numbers of marginalized children.

3.1 Potential Contributions of a Right Based Approach

The adoption of a child rights approach by CIDA’s SME program would directly contribute to the goal of CIDA’s program in Egypt by helping some of the most marginalized children in Egypt improve their lives and well being. The SME program is well placed to develop and implement rights based programming with working children who are active within client

businesses whether at the micro, small or medium to large scale levels. This type of programming will need to be done while maintaining best practice principles regarding the promotion of businesses. While there will be challenges several positive examples have already begun to emerge through CIDA's present projects as well as other SME programs.

3.1.1. THE PPIC-WORK EXPERIENCE

The PPIC-Work Project seeks to improve the working conditions and learning opportunities of working girls and boys by operating with and through microfinance institutions and programs. Beginning first with the training of project staff on child rights and rights based programming, PPIC-Work developed a series of intervention tools with the participation of working children.

The project team have come to recognized that children may choose to work to support themselves and their families and that attempting to prevent children from working is generally not in their best interest. When children do work however it is essential that they are not exploited or harmed through their work, that their work is safe and appropriate for their age and physical development, and that their work does not prevent them from accessing their rights to education and good health as well as their rights to play and enjoy their childhood.

By recognizing and respecting children's right to participate in decisions that affect them PPIC-Work developed interventions to improve the working conditions and learning opportunities of working in close collaboration with working children themselves. The first intervention identified by children to reduce the risk of mistreatment by customers was to help children improve their numeracy and literacy skills. Mistreatment occurred when customers thought children were deliberately giving them incorrect change when payment was being made. By improving their numeracy skills children realized that they would be able to reduce the risk of this type of mistreatment.

Other interventions to improve learning opportunities for working girls grew out of discussions of gender equality and the importance of non-discrimination. Girls recognized that boys often learned useful career skills while working but that girls mainly worked at selling. The girls indicated that they did not want to work as mechanics or carpenters with the boys but would rather learn about computers and use computers to learn about other things. PPIC-Work developed the Ba'alty computer game that is now used by girls as well as boys to learn computer technology and business principles and ethics.

PPIC-Work has developed learning through work program that helps improve the learning process within workplaces that is particularly important for working children who are outside of school. This intervention helps children gain technical, business and life skills through their work and helps business owners become better mentors and trainers. Additional education support programs are provided for these children to help them access their education rights.

There are several interventions that have been developed with children to improve working conditions and reduce the risk of exploitation through work or exposure to hazardous work.

A code of conduct that sets out agreed conditions for children's work was developed with business owners and working children. The code of conduct is integrated into the loan contract with the business at the time the loan is issued and is monitored by the loan officer during the time of monthly visits to the business. Loan officers are now training to be able to identify, analyze and mitigate safety hazards. Dual-purpose loans are provided to businesses where children work and these provide normal financing for the business improvements but include some additional funds to improve working conditions for the child as well as adults.

Children, business owners and microfinance staff are also trained on child rights, gender equality and children's participation.

Child level impacts of the PPIC-Work interventions occur through the combination of adult initiatives through the lending process, hazard mitigation and code of conduct along side of child initiatives based on knowledge and understanding of rights and on a readiness to ask for and claim rights.

The PPIC-Work approach can be applied to other types of business support programs including business development services and technology upgrading.

4. Gaps in SME Programs

To address the two gaps - poor economic conditions and poor educational experience - CIDA might explore the synergies created between its SME programming and its education for the excluded (working children particularly) in both formal and non formal sector. It would work in close partnership with the government, NGO's and other partners by testing and up scaling synergistic models of education which link learning to earning – be it earning of parents or children, and in supporting individual families, through micro-credit and the establishment of small and medium enterprises. While synergies are mentioned in CIDA's CDPF, yet it has not been realized. Future programming can start developing a model which achieves this synergy, springing from the experience of past programming in the PPIC Work program and the BDSSP program. Mechanisms, procedures, a network of partners and implementation strategies can go a long way towards children's access to decent work, technical vocational skills that are linked to market needs and learning which is linked to the world of work.

5. Some Strategy Recommendations for the Protection of Working Children

5.1 Synergy between SME'S & Education for Working Children

CIDA programming in the area of community education extended over 15 years or more. It took that long to develop a model, mainstream it and incorporate it into national policy and practice. CIDA's programming in the field of working children has not extended long enough to produce a model which can be raised to policy makers. It would be strategic for CIDA to extend funding to expand existing approaches which address working children's rights to education through the non formal sector or while working with government and

the private sector to establish learning models within the technical and vocational realm for working children. Greater synergies would need to be designed between the SME and Education sectors to affect impact.

In the area of working children, CIDA does not need to develop models as it did in the community education sector. Rather it would lend its support to the agencies implementing the varied models on the ground in Egypt to network and advocate for policies and practices at the national level, to build on models developed by many e.g. (PTE MEDA, CID and many NGO's), to strategically consolidate practice, lessons learned and raise them to policy makers at both NCCM and MoE in the same manner that the Steps I program did. CIDA can spearhead a specific program to create synergies between SME's in the private sector and educators in the non formal sector and move towards professionalizing children's work in sweat shops and/or structuring the educational experience to the point of certification, as an alternate to basic education and TVET as well.

Much can be done in the context of that reality for working children in order for them to acquire a measure of learning to equip them with market based vocational skills, basic education skills and learning that will help them live in sustainable communities and develop themselves and their societies” (Rights-based analysis of Child Protection in Egypt – report by CID to Save the Children UK, November 2007).

PPIC-Work has developed learning through work program to improve learning through work process to reduce risk of exploitation and exposure to hazardous within the worksite. Children learned numeracy and literacy to enable them to deal with customers. Technical, business and life skills develop their business abilities. Agreements are entered into with owners to allow time (shifts) for school attendance for those who continue education.

5.2 Synergy between SME & Protection

PPIC-Work has integrated a "code of conduct" that sets agreed conditions for children's work. The code of conduct is into the loan contract with the workshop owner and it is monitored by the loan officer during monthly visits. Loan officers are trained to identify hazards and to mitigate safety hazards. Loans include resources for business improvements.

5.3 Potential collaboration with the Ministry of Manpower and Migration (MOMM)

5.3.1 There is general consensus that labour law inspections do not provide protection for working children. Inspection is limited to inflicting fines on workshops found to employ children, this rarely happens. It has been suggested by international agencies that a new social-oriented, collaborative system of inspection should be set up to create awareness, guidance and support to working children, their families and workshop owners for the safety and protection of children. A pilot project can be supported by CIDA in collaboration with the Ministry of Manpower to advocate and experiment an adequate system.

- 5.3.2 Review, reform and activate the licensing requirements for the establishment of SME projects including occupational health and safety measures to ensure an adequate and safe work environment when the license is issued.
- 5.3.3 Assess and reform health and safety measures and inspection for SMEs and support efforts to consider ways for providing adequate and affordable protection tools and measures in SMEs
- 5.3.4 Assess and identify hazardous occupations and work conditions in SMEs and consider ways for the prevention of children's involvement in these projects.
- 5.3.5 Application of a rights based approach within CIDA's SME program would be able to:
- Ensure that CIDA SME personnel are aware that children are active participants within the types of businesses that are supported through SME programming;
 - Avoid the promotion of inherently hazardous work for children;
 - Promote positive change for working children (acting in children's best interests) including helping children access education and health rights;
 - Recognize children as active participants in their own (and their families) development and engaging children in the development and implementation of programming;
 - Helping children act in their own interests through training on child rights, gender equality and helping children form their own organizations and networks;
 - Support other developmental programming with / for children through revenues generated by SME support programs (as in the case of microfinance).

ANNEX I

UN EXPERIENCE IN PROGRAMMING HUMAN RIGHTS

Following the UN Secretary General's instructions to UN agencies to mainstream human rights into their programmes and activities, the agencies grappled with the issues of programming and the technicalities of implementing human rights. The literature reveals that the experience of the UN and other international agencies varied in depth and achievement.

- Various agencies were influenced by their previous experience in human development projects.
 - ⇒ A four step implementation strategy (borrowed from the field of development) advocated undertaking: a situation analysis followed by setting goals and standards, designing plans and programmes of action, monitoring and enforcement (Himes 1993).
 - ⇒ A joint UNESCO-UNICEF document indicated that a rights-based approach to policy and programming would entail undertaking: a situation analysis, assessment of government capacity to fulfil its obligations, assessment of rights holders' capacity to claim their rights, planning, designing, implementing, monitoring and evaluating (UNESCO-UNICEF 2007). The document added the requirement that programming should be informed by the "recommendations of international human rights bodies and mechanisms" (UNESCO-UNICEF 2007).
- Another UNICEF document proposed the adoption of an analytical process to understand the nature of problems experienced by children and in particular those related to rights violations. The proposed process included (Jonsson 2003):
 - ⇒ Causality analysis: searching beyond the immediate causes of the problem to understand the systematic nature of the violation
 - ⇒ Role analysis: exploring the complex relationships between the rights-holders and the duty-bearers in order to identify the capacity gap, due for example to the lack of authority or resources.
 - ⇒ Identification of action to address the capacity gap
 - ⇒ Programme design

This analysis is useful but limited to the identification of capacity gaps, which is not always the case of rights deprivation (Nyamu-Musembi et al. 2004). The study undertaken under the auspices of the Institute of Development Studies in Sussex, which reviewed international agencies' experience in programming human rights, concluded (Nyamu-Musembi et al. 2004):

- There was consensus that human rights principles should guide all phases of programming.
- The human rights principles would determine the relationships between individuals/groups (rights holders) and the State/non-State actors (duty-bearers).
- The programming processes were borrowed in most cases from previous development experience.

- Interventions were often selective and determined by the agencies' mandates. They concentrated mostly on capacity building and good governance (UNDP 1998) but less on integrating rights into projects (Nyamu-Musembi et al. 2004).
- UNESCO undertook efforts for standards-setting in education.

DEFINITIONS & CLARIFICATIONS

- **Universality and inalienability:**
Human rights are universal and inalienable. All people everywhere in the world are entitled to them. The human person in whom they inhere cannot voluntarily give them up. Nor can others take them away from him or her. As stated in Article 1 of UDHR, “All human beings are born free and equal in dignity and rights”.
- **Indivisibility:**
Human rights are indivisible. Whether of a civil, cultural, economic, political or social nature, they are all inherent to the dignity of every human person. Consequently, they all have equal status as rights and cannot be ranked, a priori, in hierarchical order.
- **Inter-dependence and Inter-relatedness:**
The realization of one right often depends, wholly or in part, upon the realization of others. For instance, realization of the right to health may depend, in certain circumstances, on realization of the right to education or of the right to information.
- **Equality and Non-discrimination:**
All individuals are equal as human beings and by virtue of the inherent dignity of each human person. All human beings are entitled to their human rights without discrimination of any kind, such as race, color, sex, ethnicity, age, language, political or other opinion, national or social origin, disability, property, birth or other status as explained by the human rights treaty bodies.
- **Participation and Inclusion:**
Every person and all peoples are entitled to active, free and meaningful participation in, contribution to, and enjoyment of civil, economic, social, cultural and political development in which human rights and fundamental freedoms can be realized.
- **Accountability and Rule of Law:**
States and other duty-bearers are answerable for the observance of human rights. In this regard, they have to comply with the legal norms and standards enshrined in human rights instruments. Where they fail to do so, aggrieved rights-holders are entitled to institute proceedings for appropriate redress before a competent court or other adjudicator in accordance with the rules and procedures provided by law.

ANNEX III

CIDA's EDUCATION PROGRAMMING IN EGYPT

CIDA's programming in education has encompassed community education, basic education, education for working children and adult literacy.

1. Community Education:

The genesis of community education in Egypt dates back to the mid seventies with an initiative to support the One Classroom Schools. In 1975, the National Council for Education, Scientific Research and Technology prompted the Ministry of Education in Egypt (MoE) to launch the One Classroom School initiative as a measure to reach universal primary education and '*block the source of illiteracy*'. The initiative provided free, compulsory primary education for children at age 6-8 years in deprived remote areas and a second chance for children who had dropped out or were never enrolled, through more than 2,521 multi grade one classroom schools. From a Child Rights perspective, this met the need of the provision of access to a most basic child's rights to hard to reach children who had been deprived of that right.

In the early 1990s, in response to low enrolment rates of children (mostly girls) in primary education, the one classroom school program was revitalized under the auspices of the First Lady. The Ministry allocated required funds to construct and manage one classroom multi grade schools in remote deprived areas to improve girls' enrolment in primary education. To-date, the Ministry has succeeded in establishing 3,146 schools serving more than 65,000 girls nationwide. During those years, CIDA supported the MoE (through the FIT contract) in upgrading the One Classroom program and directorate at the central ministry level and provided technical assistance to that directorate to expand the establishment of one room, girl friendly schools in deprived areas of Egypt, particularly rural Egypt.

A second CIDA program which intervened in that same sector of education was the Steps I project. The success of CIDA's Steps I Community Schools Model, implemented by UNICEF further targeted CIDA funds towards the provision of the right to access, but it added a strong focus on quality as well. To date, 227 CIDA funded Community Schools have been established serving 6,000 children in six districts in Assuit, Sohag and Qena governorates.

In later years, CIDA's programming through Steps I broadened to include replication at the national level in both mainstream schools and in one classroom schools. Interventions were targeted at both the school level, and the idara level. They covered classroom based systems, such as pedagogical methods and aspects of instruction and learning. Fifteen years into implementation, they were able to influence national policy in the MoE's adoption of active teaching methods in mainstream classrooms and more effective pedagogies on a much

broader scale than the one at which Steps I had intervened. In fact, the entire national school system has now espoused active learning as the instructional method of choice and schools are to convert to that method of instruction if they wish to qualify for accreditation according to Egypt's New National Standards. Studies conducted by the World Bank and other international agencies assess that Egypt still has a long way to go towards making educational quality and relevance a reality for all Egyptian children.

Elements of CIDA's Programming in Community Education:

Over the past 15 years, the Government of Egypt has addressed its commitment to achieve universal basic education with substantial government investments in the education sector (16.2% of total budget expenditure- 4.1% GDP 06/07). Significant progress in access to primary education (Gross Enrolment Rate 96% & Net Enrolment Rate 87.1% in 05/06) has been made and the gender gap has been greatly reduced (0.7 ratio of girls to boys in 2005/2006). CIDA has been a supporter of the GoE in these efforts.

A. Partnership with Government:

Both CIDA programs in community education were based on a partnership with the MoE and both provided technical assistance as well as strategic policy advice on how to provide children outside of the formal educational system with the opportunity to access a basic human right – education. Thus strategically, the projects succeeded in the direct provision of that right and in policy directions for the partner to sustain that model. The MoE has included community education as a major tenet of its National Strategic Plan for Education 2007 – 2012. This came about largely as a result of CIDA's programmatic interventions and that of other donors – such as CARE's multi-grade schools under the New Schools Program (NSP) – and scores of community based non formal schools run by NGO's.

Based on the Steps I community schools quality learning approaches, the MOE and NCCM have brought quality improvements in basic education and contributed to instituting equity through mainstreaming active learning methodologies in primary schools nationwide and the establishment of the Girls Education Initiative (GEI). The GEI has established 1,065 classrooms reaching some 27,000 children in 7 governorates.

Structurally, the Girls' Education Initiative has created a parallel track, since community education now falls within the purview of the MoE – under the One Classroom directorate – and NCCM, a quasi governmental agency – under the Girls' Education Initiative.

B. Sustainability and Replicability:

The Steps I model included elements of financing school premises by the community to which the government of Egypt is committed. Teachers' salaries, textbooks and supervision are financed and covered by MoE budgets. It can therefore be argued that, strategically, CIDA has provided the MoE with a roadmap and a model of successful community education that is now within the purview and mandate of the government of Egypt to sustain and promote.

CIDA's programming through Steps I broadened to include replication at the national level in both mainstream schools and in one classroom schools. Interventions were targeted at both the school level, and the idaara level. Evidence which point to that strategic choice is presented here below:

The National Education Strategic Plan of Egypt 2007-11, developed by the MOE, has now fully integrated Community Based Education (CBE) as part of the national education reform. This should lead to significant progress in providing appropriate educational opportunities for the most disadvantaged children. It includes both system and operational aspects, such as:

- Establish schools in cooperation with local communities to provide access to all out-of-school children;
- Provide sufficient number of trained managers, supervisors, facilitators and workers in community-based education;
- Produce instructional materials within the national curriculum that suit the context of out-of-school children;
- Provide school feeding program for all children enrolled in community-based education institutions during the five years of the plan;
- Develop an effective management system for community-based education in the MOE.

C. Emphasis on the Indivisibility and Inter-relatedness of the Right to Education:

CIDA's Steps I model incorporated respect for the universality of the child's right to free, quality education, participation, freedom of expression, freedom from exploitation, empowerment, health and wellbeing. Children's rights were linked to family and society and eventually extended to become a model for all community education in Egypt.

2. Formal Educational System – Support to Egyptian Primary Schooling Project (Steps II):

The Steps II project is a five year initiative which targets 20 schools in each of the three separate idaaras in the governorates of Assiut, Sohag and Qena. It includes components which focus on systems based reform, teaching methods, teachers' cadre issues, school leadership, professional development, accreditation and school improvement plans. It supports close communication between central, governorates, idaara levels and empowers principals to be effective instructional and systems leaders, while empowering Boards of Trustees (BOT's) to become more engaged in the life of the school. It has provided a good foundation for a model which Egypt's MoE can follow in its quest for nationwide reform and has prepared ministry staff to become professional reform agents. It has introduced elements of inclusion in its model by providing training on inclusion at the local and central levels and has established a gender unit at the central ministry level

Article 29 CRC states that: primary education should be free of charge: school fees and all school related expenses should be subsidised. According to a World Bank report¹, the problem does not lie in a lack of investment by government, but rather in the inefficient use of these investments. The quality component should be a main priority of Egypt's Ministry of Education in the years to come. The quality element is essential as studies show that low-quality education is one of the main factors leading to dropping out of school. Still, achievements in terms of quality education remain limited. "Whereas Egypt has reached universal primary education and reduced the gender gap at all levels of instruction, literacy levels remain relatively low and the quality of education could be improved."²

Elements of CIDA's Programming in the Field of Working Children

CIDA has worked closely with a number of partners. These are:

The Ministry of Manpower and Migration

The Ministry established a National Committee for Combating Child Labour (Decree No. 18, 2001). The Minister chairs it, with members representing all concerned ministries and departments. Its function is to draw strategies and plans for the protection of working children and for the elimination of hazardous forms of child labour.

The Ministry organizes training programs for young people (apprenticeship programmes, occupational training and guidance). The Department of Child Labour Inspection is currently undertaking efforts to implement the ILO Convention 182 on the worst forms of child labour, by contributing in projects for the protection and welfare of working children.

These efforts indicate that there is an emerging vision for a new role for labour inspection in tackling the issue of child labour. These initial efforts should be tested, validated and their impact evaluated, as a step towards developing a comprehensive policy with clear targets and objectives.

The Ministry of Social Solidarity

The Ministry established nine centres for the provision of services for working children in several governorates. Each centre provides health care, education and recreation services to working children, in addition to support for their families and awareness-raising of the child, the family and the workshop employer. Several NGOs working under the supervision of the ministry provide similar services. Though these efforts are needed and are useful, however, they serve limited numbers of working children and do not perform a preventive function.

MoSS still plays a limited role in the field of working children's rights, but there is greater potential for cooperation and partnership with NGO's

¹ The World Bank, *Improving Quality, Equality and Efficiency in the Education Sector : Fostering a Competent Generation of Youth*, the Arab Republic of Egypt, **Report No. 42863-EG, June 29, 2007**, MNSHD, Human Development Department, Middle East and North Africa Region

² *ibid.*

The National Council for Childhood and Motherhood

In 2006 the National Council formulated and launched a national strategy for the eradication of child labour. The strategy proposes the following objectives:

- Establishing a data base to provide adequate information on working children
- Formulating policies and legislation for the protection of working children and enforcing the policies through local units which combine government departments and local community representatives.
- Raising public awareness and mobilizing communities to combat child labour and to protect child rights
- Building the capacities of relevant institutions and developing human resource abilities of staff in concerned agencies
- Develop and promote programs for the delivery of services for the care and protection of working children and the prevention of new entrants into the labour market.

Civil society and the Private sector

Non profit groups and civil society actors have contributed in the following manner towards the attainment of rights for working children:

- Enlist community support for non formal learning for working children
- Withdraw children from hazardous occupations and provide them with alternatives
- Work closely with Parents of Working Children: by conducting awareness campaigns
- Collaborate with neighbourhood schools
- Advocacy Activities

CIDA's work in the area of working children relied on partnerships with Egyptian and Canadian civil society (PTE – MEDA) and the private sector (CID Consulting) in the PPIC-Work project targeting working children, and in the Brick Factories of Arab Abou Saed in Giza, partners in the Climate Change Initiative introduced by CIDA in 2002.

Involving civil society served in giving the issue of working children greater public visibility, triggered discussions with the government and the private sector on how the private sector can ensure their practices are child-friendly. “New stakeholders including national government departments, civil society organizations and business owners (came) together..., to discuss child labour and develop common positions”³. Through ownership of actions by local partners, CIDA was able to influence relevant stakeholders towards the provision of better work conditions and access to supplementary, flexible education. Such partnerships enhanced the sustainability of the project, as civil, political and private institutions are made to come together with a common aim, and the relationships built between them can continue after CIDA funding has ended.

³ CIDA, Lessons learned on children and young people's participation in development, 2007a

The PPIC-Work approach is based on the premise that the interests of business owners and child workers can be mutually reinforcing and that business owners are open to improving working conditions for children. The project provides loans to small business owners (micro-finance) in exchange for adequate working and learning conditions for the children. Based on working children's analysis of their own needs, the project has established a school loan fund which the families of working children can access to ensure payment of the costs of schooling throughout the year.

The CID Brick Factory project designs and implements measures which offer lifelong learning opportunities to migrant children who work in brick factories through literacy, primary health care, sports, recreation, and technical and vocational skills building. Its approach links engineering technology transfer with the environmental, learning and livelihood needs of children. The project aims to develop a model based on synergies with the PPIC Work program.

ANNEX IV

BUSINESS DEVELOPMENT SERVICES (BDS) FOR CHILDREN AT WORK

A specialized unit is currently providing services to the community. Fifty working children (25 girls and 25 boys) and their families participated in the Unit activities and benefited from the medical diagnosis provided by the Unit. A protocol between the child labour unit and technical and advisory unit was signed. The core of this protocol is to provide a medical insurance system. Consequently, the child labour unit provided 50 medical insurance cards for the children which give them a 50% discount on medical services throughout the year. Factory owners also provided 120 insurance cards to cover benefits for all their employees. The unit succeeded in hiring a specialized consultant to design the training curricula for the working children in the field of car mechanics.

1. Current status:

The unit provides career development opportunities to working children in car repair and food processing. Business owners, working children and their families demonstrated increased awareness of child rights. A curriculum for children working in mechanical car repair has been designed.

2. Strategy / Action plans towards sustainability:

Building the ability to advocate the protection of working children in government policy

- Building capacity in social marketing to look for funding alternatives (among donors and the private sector).
- Aligning the unit with the social development facilitator (Alliance for Arab Women).
- Maintain and strengthen relationship between the Unit and parents' organization to increase the opportunity of unit sustainability.

3. Legacy:

- A model for the protection of working children to demonstrate the importance of social integration in private sector development.
- Creating a model for learning opportunities (technical skills and literacy) in the work place, including sectoral technical curriculums for working children.